

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA
Plaintiff

v.

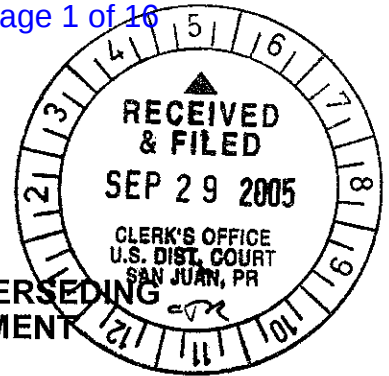
[1] JOHN DOE, a/k/a " JUAN CARLOS ARCE VALENTIN",
(Counts 1, 2, 3, 4, 5 and 6)
[2] ANGEL L. ALAMO CLEMENTE, a/k/a "Lito", a/k/a "Negro" and a/k/a "Flavio",
(Counts 5, 7, 8 and 9)
[3] JOSE A. IRIZARRY CORCHADO, a/k/a "Chegui", a/k/a "Che" and "Barney", (Count 5 and 7)
[4] JUAN CASTILLO TORRES, a/k/a "Pituti", a/k/a "Bin Laden" (Counts 5, 6 and 7)
[5] ANGEL A. TORRES CRUZ, a/k/a "Walla", a/k/a "Galban", a/k/a "Garbanzo,"
(Count 5)
[6] OMAR R. SANTIAGO MIRANDA,
(Count 5 and 7)
[7] CESAR GARCIA MORALES, a/k/a "Poski", a/k/a "Pop Corn," (Count 5)
[8] ENRIQUE RODRIGUEZ LOPEZ, a/k/a "Enriquito" and "Esquimal", (Count 5),
[9] FELIX NEGRON ROMAN a/k/a Ñaño, and "Pollo," (Count 5)
[10] OMAR CORTEZ RIVERA, a/k/a "Ponce", (Count 5 and 6),
[11] YOUSSEF S. ZAWAHRA ALEJANDRO, a/k/a "Peter Pan,"
(Count 5)
[12] MARIA ROLDAN GONZALEZ, a/k/a "Isa," (Count 5),
[13] JONATHAN RUIZ CASTRO, a/k/a "Yogi," (Count 5),
[14] GAZUEL CRUZ ANDINO, aka "Gazu" and "Gas," (Count 5)
[15] HUMBERTO CONCEPCION ROCHE,
(Count 5),

**SECOND SUPERSEDING
INDICTMENT**

Criminal No. 04-414(PG)

Violations: Title 21, U.S.C., §841(a)(1), 846, and Title 18, U.S.C., 924 (a)(2), 924(c), 922(o), 922(g)(1), 922(k) and 2.

(NINE COUNTS)



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[16] EDWIN SALINAS RAMIREZ a/k/a
"Burger King," (Count 5),
[17] EMMANUEL SOTO FRANCO, a/k/a
"Manuel" and "Loco Murdock," (Count 5)
[18] LUIS FEBRES PASTRANA a/k/a
"Boca" (Count 5),
[19] JOSE L. ROMAN RODRIGUEZ, a/k/a
"Flaco" (Count 5),
[20] BENNET MOSES, a/k/a "Bene"
(Count 5),
[21] ANGEL A. FIGUEROA CRUZ, a/k/a
"Pucho," (Count 5) and
[22] CARLOS SANTIAGO RIVERA, a/k/a
"Pulgoso." (Count 5).
Defendants

THE GRAND JURY CHARGES:

COUNT ONE

On or about December 7, 2004, in the District of Puerto Rico, and within the jurisdiction of this Court,

[1] JUAN CARLOS ARCE VALENTIN, also known a "Juanca" and "Gordo" the defendant herein, aided and abetted by others to the Grand Jury known and unknown, willfully, knowingly, intentionally and unlawfully did possess with the intent to distribute approximately seven point zero six (7.06) kilograms (gross weight) of marihuana, a Schedule I Controlled Substance; all in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT TWO

On or about December 7, 2004, in the District of Puerto Rico and within the jurisdiction of this Court,

[1] JUAN CARLOS ARCE VALENTIN, also known a "Juanca" and "Gordo",

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the defendant herein, aided and abetted by others to the Grand Jury known and unknown, willfully, knowingly, intentionally and unlawfully did possess with the intent to distribute approximately one hundred seventy two (172) grams (gross weight) of cocaine, a Schedule II Narcotic Drug Controlled Substance. All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT THREE

On or about December 7, 2004, in the District of Puerto Rico and within the jurisdiction of this Court,

[1] **JUAN CARLOS ARCE VALENTIN**, also known a "Juanca" and "Gordo"

the defendant herein did knowingly possess a firearm, that is, one Intratec 9mm caliber, submachine gun pistol, serial number D427239, one Ruger Pistol, nickel plated, 9mm caliber, serial number 308-49965, one machinegun AK-47 Type fully automatic Rifle, Egypt Arms (MAADI) brand, 7.72 x 39 caliber, obliterated serial number, one machinegun Olympic Arms fully automatic AR-15 type Rifle, .223 caliber, serial number T6281, and one semi-automatic AK-47 Type Rifle, 7.62 x 39 caliber, serial number DP7813, in furtherance of a drug trafficking crime punishable under the Controlled Substances Act, that is, a violation of Title 21, United States Code, Section 841(a)(1), as charged in Counts One and Two, of this Indictment, involving the possession with the intent to distribute Schedule I Controlled Substance marihuana and Schedule II Narcotic Drug Controlled Substance cocaine. All in violation of Title 18, United States Code, Section 924(c)(1)(A) and 924(c)(1)(B)(ii).

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COUNT FOUR

On or about December 7, 2004, in the District of Puerto Rico and within the jurisdiction of this Court,

[1] JUAN CARLOS ARCE VALENTIN, also known a "Juanca" and "Gordo" the defendant herein, knowingly, willfully, and unlawfully, did possess a machinegun, as that term is defined in Section 5845(b) of the National Firearms Act, Title 26, United States Code, that is, one AK-47 Type fully automatic Rifle, Egypt Arms (MAADI) brand, 7.72 x 39 caliber, obliterated serial number, one Olympic Arms fully automatic AR-15 type Rifle, .223 caliber, serial number T6281, both with automatic firing capabilities, All in violation of Title 18, United States Code, Section 922(o).

COUNT FIVE

From on or about the year 2002, and continuing until September 29, 2005, in the District of Puerto Rico, and within the jurisdiction of this Court,

- [1] JUAN CARLOS ARCE VALENTIN aka "Juanca," and aka "Gordo,"
- [2] ANGEL L. ALAMO CLEMENTE, a/k/a "Lito", a/k/a "Negro" and a/k/a "Flavio",
- [3] JOSE A. IRIZARRY CORCHADO, a/k/a "Chegui", a/k/a "Che" and "Barney",
- [4] JUAN CASTILLO TORRES, a/k/a "Pituti", a/k/a "Bin Laden" and "Bin"
- [5] ANGELA TORRES CRUZ, a/k/a "Walla", a/k/a "Galban", a/k/a "Garbanzo,"
- [6] OMAR R. SANTIAGO MIRANDA,
- [7] CESAR GARCIA MORALES, a/k/a "Poski", a/k/a "Pop Corn,"
- [8] ENRIQUE RODRIGUEZ LOPEZ, a/k/a "Enriquito" and "Esquimal",
- [9] FELIX NEGRON ROMAN a/k/a Ñañi, and "Pollo,"
- [10] OMAR CORTEZ RIVERA, a/k/a "Ponce",
- [11] YOUSSEF S. ZAWAHRA ALEJANDRO, a/k/a "Peter Pan,"

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[12] MARIA ROLDAN GONZALEZ, a/k/a "Isa,"
[13] JONATHAN RUIZ CASTRO, a/k/a "Yogi,"
[14] GAZUEL CRUZ ANDINO, aka "Gazu" and "Gas,"
[15] HUMBERTO CONCEPCION ROCHE,
[16] EDWIN SALINAS RAMIREZ a/k/a "Burger King,"
[17] EMMANUEL SOTO FRANCO, a/k/a
"Manuel" and "Loco Murdock,"
[18] LUIS FEBRES PASTRANA a/k/a "Boca",
[19] JOSE L. ROMAN RODRIGUEZ, a/k/a "Flaco",
[20] BENNET MOSES, a/k/a "Bene,"
[21] ANGEL A. FIGUEROA CRUZ, a/k/a "Pucho,"
[22] CARLOS SANTIAGO RIVERA, a/k/a "Pulgoso."

the defendants herein, and the following co-conspirators not charged in this Second Superseding Indictment, that is, JOHAN MAÑON FELIZ and DICKSON ROMAN QUINONEZ did, knowingly and intentionally, combine, conspire, and agree with each other and with diverse other persons to the Grand Jury known and unknown, to commit an offense against the United States, to wit, to knowingly and intentionally possess with the intent to distribute kilogram quantities of controlled substances, that is to say, five (5) kilograms or more of cocaine, a Schedule II Narcotic Drug Controlled Substance, fifty (50) grams or more of cocaine base (crack cocaine), a Schedule II Narcotic Drug Controlled Substance, and one hundred (100) kilograms or more of marihuana, a Schedule I Controlled Substance, as prohibited by Title 21, United States Code, Section 841(a)(1).

I. OBJECT OF THE CONSPIRACY

The object of the conspiracy was to possess with the intent to distribute and distribute cocaine, cocaine base (commonly known as "crack" cocaine) and marihuana, at the location known as "Residencial El Flamboyán," in Rio Piedras, Puerto Rico, for significant financial gain or profit.

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II. MANNER AND MEANS USED TO ACCOMPLISH THE CONSPIRACY

The manner and means by which the defendants and co-conspirators would further and accomplish the objects of the conspiracy included among others the following:

1. They would purchase multi-kilogram quantities of marihuana and cocaine at wholesale prices for subsequent sale at "Residencial El Flamboyán" drug distribution point in Rio Piedras, Puerto Rico and elsewhere.

2. They would cook part of the cocaine purchased and create cocaine base (crack), which was also packaged in small packages for subsequent sale at the above mentioned drug point in the southern part of Puerto Rico.

3. They would use apartments within "Residencial El Flamboyán" and other locations in order to store and package the marihuana and cocaine.

4. They would use residences and other locations in order to conceal the drug trafficking proceeds, that is, money.

5. They would possess firearms in order to protect themselves and the drug points from other competing drug organizations.

6. They would beat those individuals that stole money and/or narcotics from the drug point.

III. ROLES OF THE MEMBERS OF THE CONSPIRACY

A. Leader:

1. Co-conspirators [2] Angel L. Alamo Clemente known as "Lito" and also known as "Negro", [3] Jose A. Irizarry Corchado, also known as "Chegui", "Che" and "Barney", [4] Juan Castillo Torres, also known as "Pituti" and "Bin Laden" and [1] Juan Carlos Arce

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Valentin were the owners/leaders and organizers of this drug-trafficking organization. They did lead, organize, control, enforce through the use of violence, and supervise the sales of controlled substances at the drug point located at the location known as "Residencial El Flamboyán" in , Puerto Rico. Co-conspirators, [2] Angel L. Alamo Clemente known as "Lito " and also known as "Negro", [3] Jose A. Irizarry Corchado, also known as "Chegui", "Che" and "Barney", [4] Juan Castillo Torres, also known as "Pituti" and "Bin Laden" and [1] Juan Carlos Arce Valentin did direct and supervise subordinates whose principal tasks were: (a) to supply sellers with the drugs to be sold, and collect the proceeds derived from their sale at the drug point; (b) to package drugs for subsequent sale at the drug point; (c) to provide protection to themselves and the illegal narcotics being sold at the drug point and the proceeds of the sales ; (d) to conceal narcotics, firearms, and drug proceeds at their residences.

2. At different dates through the span of the conspiracy, co-conspirator [2] Angel Alamo Clemente, also known as "Lito" and also known as "Negro" managed, owned, and/or was the leader of the cocaine drug point at the "Residencial El Flamboyán" in Rio Piedras, Puerto Rico.

3. At different dates through the span of the conspiracy, co-conspirator [3] Jose A. Irizarry Corchado, also known as "Chegui", "Che" and "Barney" managed, owned, and/or was the leader of the marihuana drug point at the "Residencial El Flamboyán" in Rio Piedras, Puerto Rico.

4. At different dates through the span of the conspiracy, co-conspirator [2] Angel Alamo Clemente, also known as "Lito" and also known as "Negro" managed, owned,

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and/or was the leader of the cocaine base (crack cocaine) drug point at the "Residencial El Flamboyán" in Rio Piedras, Puerto Rico.

B. Runners

1. Co-conspirators, [2] Angel L. Alamo Clemente known as "Lito" and also known as "Negro", [3] Jose A. Irizarry Corchado, also known as "Chegui", "Che" and "Barney", [4] Juan Castillo Torres, also known as "Pituti" and "Bin Laden" would employ runners for their drug trafficking organization. These runners would receive packaged narcotics and deliver them to the sellers for sale at the drug point and would also collect the proceeds derived from sales already completed by the sellers. Runners would be responsible for the status of the inventory of illegal narcotics sold at the drug points and for supervising the operations of the drug point. Among the co-conspirators that acted as runners for the drug point located at the location known as "Residencial El Flamboyán" located in Rio Piedras, Puerto Rico, were [1] Juan Carlos Arce Valentin, also known as "Juanca" and "Gordo", [9] Felix Negron Roman, also known as "Ñañi" and "Pollo", [7] Cesar Garcia Morales, also known as "Posky" and "Pop Corn", [18] Luis Febres Pastrana, also known as "Boca" and others to the Grand Jury unknown.

C. Enforcers

1. Co-conspirators [1] Juan Carlos Arce Valentin, also known as "Juanca" and "Gordo," [4] Juan Castillo Torres, also known as "Pituti" and "Bin Landen", [6] Omar Santiago Miranda, [5] Angel A. Torres Cruz, also known as "Walla", "Galban" and "Garbanzo" and [17] Emmanuel Soto Franco, also known as "Manuel" and "Loco Murdock" acted as enforcers. These enforcers would possess, carry, use and brandish firearms, in

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order to provide protection to the members of the organization as well as to the drugs and its proceeds from rival drug-trafficking organizations.

D. Concealers:

1. Co-conspirators [12] Maria I. Roldan Gonzalez, also known as "Isa", [1] Juan Carlos Arce Valentin also known as "Juanca" and also known as "Gordo" [7] Cesar Garcia Morales also known as "Poski" and also known as "Pop Corn", would conceal the narcotics and proceeds in their residence.

E. Sellers: Co-conspirators [10] Omar Cortez Rivera, [16] Edwin Salinas Ramirez, also known as "Burger King", [19] Jose Luis Roman Rodriguez, [20] Moses Benett, [13] Jonathan Ruiz Castro and [22] Carlos Santiago Rivera, also known as "Pulgoso," acted as sellers at the drug distribution point at "Residencial El Flamboyen" in Rio Piedras, Puerto Rico.

F. Lookouts: Co-conspirators [22] Carlos Santiago Rivera, also known as "Pulgoso," [15] Humberto Concepcion Roche, [11] Youseff Zawara, also known as "Peter Pan"and [21] Angel A. Figueroa Cruz also known as "Pucho" worked as "lookouts" at the drug distribution point located at the drug distribution point at "Residencial El Flamboyen" in Rio Piedras, Puerto Rico.

IV. OVERT ACTS IN FURTHERANCE OF THE CONSPIRACY

In furtherance of this conspiracy and to effect and accomplish the objects of the same, one or more of the conspirators committed, among others, the following overt acts:

1. On or about October 18, 2002, [2] Angel Alamo Clemente, also known as "Lito"

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also known as "Negro", also known as "Flavio", [4] Juan Castillo Torres, also known as "Pituti", also known as "Bin Laden", and others to the Grand Jury unknown, were in possession of high capacity rifles.

2. On or about July 25, 2003, [10] Omar Cortez Rivera, also known as "Ponce", [4] Juan Castillo Torres, also known as "Pituti" and also known as "Bin Laden", [1] Juan Carlos Arce Valentin, also known as "Juanca" and also known as "Gordo", and John Doe also known as "Canito" and others to the Grand Jury unknown, shot and killed Yassem Velazquez Pagan at the "El Flamboyán" drug trafficking point in Rio Piedras, Puerto Rico. Thereafter, [12] Maria Roldan Gonzalez, also known as "Isa", helped clean the murder scene.

3. On or about September 8, 2003, [2] Angel L. Alamo Clemente, also known as "Lito" also known as "Negro," and also known as "Flavio," was in possession of a loaded Taurus Millennium pistol, 9mm caliber, with the serial number obliterated.

4. On or about January 4, 2004, [4] Juan Castillo Torres, also known as "Pituti," also known as "Bin Laden," [21] Angel A. Figueroa Cruz, and Dixon Roman Quiñones (deceased), were in possession of one 9mm caliber Ruger pistol, model P95DC, serial number obliterated, one 9mm Smith and Wesson pistol, model 6906, serial number TCB6484, one Ruger pistol, model P89DC, serial number 304-14117 and one 9mm Glock pistol, model 19, serial number obliterated and one Luger pistol, 9mm caliber, model P08 serial number 668.

5. On or about March 10, 2004, [2] Angel L. Alamo Clemente, also known as "Lito," also known as "Negro," also known as "Flavio," [4] Juan Castillo Torres, also known as "Pituti," also known as "Bin Laden," [3] Jose A Irizarry Corchado, also known as "Chegui,"

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also known as "Che" and "Barney," and [6] Omar R. Santiago Miranda, shot and killed Johan Mañon Feliz because they believed he was assisting law enforcement officers.

6. On or about April 6, 2004, [2] Angel Alamo Clemente, also known as "Lito," also known as "Negro" and Flavio, was in possession of a loaded Beretta pistol, 9mm caliber, serial number 020618.

7. On or about May 2004, [6] Omar R. Santiago Miranda possessed a pistol and an AK-47 type rifle at "El Flamboyen Housing Project."

8. On or about May 27, 2004, [6] Omar R. Santiago Miranda was in possession of a Taurus 9mm. caliber pistol, model PT-92, with the serial number obliterated.

9. On or about August 18, 2004, [18] Luis Febres Pastrana, also known as "Boca," conducted drug trafficking operations at the drug distribution point at the "El Flamboyen Housing Project" in Rio Piedras, Puerto Rico.

10. On or about August 18, 2004, [13] Jonathan Ruiz Castro, also known as "Yogi," was working as a "lookout" at "El Flamboyen Housing Project" drug distribution point in Rio Piedras, Puerto Rico.

11. On or about August 22, 2004, Carlos Santiago Rivera, also known as "Pulgoso," was working as a "lookout" at the drug point located at "El Flamboyen Housing Project" in Rio Piedras, Puerto Rico.

12. On or about October 15, 2004, [5] Angel A. Torres Cruz, also known as "Walla" and also known as "Galban," was in possession one bag of marihuana, one black police officer uniform, and drug proceeds in the amount of \$1,393.00 in cash.

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13. On or about October 15, 2004, [7] Cesar Garcia Morales, also known as "Poski" and also known as "Pop Corn," and [11] Youssef S. Zawara Alejandro, also known as "Peter Pan," were in possession of 101 bags of marihuana, 52 bags of cocaine and drug proceeds in the amount of \$3,453.00.

14. On or about November 5, 2004, [15] Humberto Concepcion Roche discussed with [1] Juan Carlos Arce Valentin, also known as "Juanca" and also known as "Gordo," the supply of ammunition and firearm parts to co-conspirators in the "El Flamboyen Housing Project."

15. On or about November 18, 2004, [11] Youssef S. Zawara Alejandro, acted as a lookout at the drug distribution point at the "El Flamboyen Housing Project" in Rio Piedras, Puerto Rico.

16. On or about May 19, 2005, (17) Emmanuel Soto Franco, also known as "Manuel " and also known as "Loco Murdock," distributed narcotics at the drug distribution point located at "El Flamboyen Housing Project" in Rio Piedras, Puerto Rico,

17. On or about June 3, 2005, [16] Edwin Salinas Ramirez, also known as "Burger King," was in possession of cocaine, marihuana and crack cocaine (cocaine base).

18. On or about June 3, 2005, co-conspirator [19] Jose Roman Rodriguez possessed with intent to distribute marihuana.

19. On or about September 13, 2005, [7] Cesar Garcia Morales, also known as "Poski" and also known as "Pop Corn, and [5] Angel A. Torres Cruz, also known as "Walla,"

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and also known as "Galvan", [4] Juan Torres Castillo, also known as "Pituti" and also known as "Bin Laden" and [9] Felix Negrón Roman, also known as "Ñañi," also known as "Pollo," assaulted [22] Carlos Santiago Rivera, also known as "Pulgoso" with golf clubs and firearms.

20. Counts One, Two, Three, Four, Six, Seven, Eight and Nine are hereby adopted by reference and included as overt acts in furtherance of the conspiracy.

All in violation of Title 21, United States Code, Sections 846 and 841(a)(1).

COUNT SIX

On or about July 25, 2003, in the District of Puerto Rico and within the jurisdiction of this Court,

**[10] Omar Cortez Rivera, also known as "Ponce",
[4] Juan Castillo Torres, also known as "Pituti" and "Bin Laden",
[1] Juan Carlos Arce Valentin, also known as "Juanca" and "Gordo",**

the defendants herein and others to the Grand Jury unknown, aiding and abetting each other, did knowingly use, carry and possess a firearm in furtherance of a drug trafficking crime, that is, pistols and rifles of unknown brands, during and in relation to the commission of an offense punishable under the Controlled Substances Act, that is, a violation of Title 21, United States Code, Sections 846 and 841(a)(1) as charged in Count Five, of this Indictment, involving the conspiracy to possess with the intent to distribute cocaine, cocaine base, Schedule II Narcotic Drug Controlled Substances and marihuana,

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a Schedule I Controlled substance. All in violation of Title 18, United States Code, Section 924(c)(1) and 2.

COUNT SEVEN

On or about March 10, 2004, in the District of Puerto Rico and within the jurisdiction of this Court,

**[2] Angel L. Alamo Clemente, also known as "Lito,"
also known as "Negro," also known as "Flavio,"**

**[4] Juan Castillo Torres, also known as "Pituti,"
also known as "Bin Laden,"**

**[3] Jose A Irizarry Corchado, also known as
"Chegui," also known as "Che" and "Barney," and**

[6] Omar R. Santiago Miranda",

the defendants herein and others to the Grand Jury unknown, aiding and abetting each other, did knowingly use, carry and possess a firearm in furtherance of a drug trafficking crime, that is, pistols and rifles of unknown brands, during and in relation to the commission of an offense punishable under the Controlled Substances Act, that is, a violation of Title 21, United States Code, Sections 846 and 841(a)(1) as charged in Count Five, of this Indictment, involving the conspiracy to possess with the intent to distribute cocaine, cocaine base, Schedule II Narcotic Drug Controlled Substances and marihuana, a Schedule I Controlled substance. All in violation of Title 18, United States Code, Section 924(c)(1) and 2.

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COUNT EIGHT

On or about September 8, 2003 , in the District of Puerto Rico and within the jurisdiction of this Court,

[2] ANGEL L. ALAMO CLEMENTE, also known as "Lito" and "Negro," the defendant herein, having been convicted in Court of a crime punishable by imprisonment for a term exceeding one year, did knowingly, willfully and unlawfully possess in or affecting commerce or receive any firearm, as this term is defined in Title 18, United States Code, Sections 921(a)(3), that is: a loaded Taurus Millennium pistol, 9mm caliber, serial number obliterated, which firearm had been shipped or transported in interstate or foreign commerce. All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT NINE

On or about April 6, 2004, in the District of Puerto Rico and within the jurisdiction of this Court,

[2] ANGEL L. ALAMO CLEMENTE, also known as "Lito" and "Negro," the defendant herein, having been convicted in Court of a crime punishable by imprisonment for a term exceeding one year, did knowingly, willfully and unlawfully possess in or affecting commerce or receive any firearm, as this term is defined in Title 18, United States Code, Sections 921(a)(3), that is: a loaded 9 mm caliber Beretta pistol, serial number 020618, which firearm had been shipped or transported in interstate or

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foreign commerce. All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

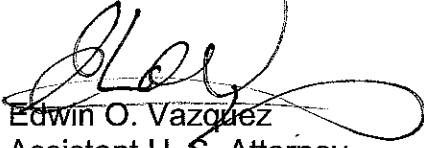
TRUE BILL

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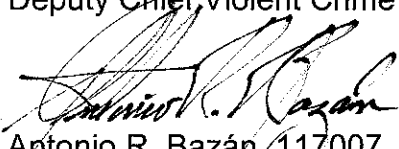
H.S. GARCIA
United States Attorney



Sonia I. Torres
Assistant U.S. Attorney
Chief, Criminal Division



Edwin O. Vazquez
Assistant U. S. Attorney
Deputy Chief, Violent Crime Unit



Antonio R. Bazán, 117007
Assistant U.S. Attorney
Dated: September 29, 2005